

STUART RABNER  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07102  
Attorney for Board of Dentistry

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By: Nancy Costello Miller  
Deputy Attorney General  
Telephone (973) 648-4735

SAFETY

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC

DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF DENTISTRY

IN THE MATTER OF

**STACY J. CUPOLO**  
License # HI 4579

LICENSED TO PRACTICE DENTAL  
HYGIENE IN THE STATE OF NEW JERSEY :

Administrative Action

**ORDER REINSTATING  
LICENSE WITH  
RESTRICTIONS**

This matter is before the Board on the application of Stacy J. Cupolo ("respondent") for reinstatement of her license to practice dental hygiene. Respondent surrendered her license by order dated March 2, 2005, following a report that she had three urine screens that tested positive for CDS in violation of the Board's order of September 8, 2004.

At that time, the Board determined that Ms. Cupolo had violated the terms of its September 2004 order of reinstatement and that her continued licensure and practice as a registered dental hygienist were not consistent with the public health, safety, and welfare. The Board questioned respondent's ability to practice and her commitment to recovery and stated that it would not consider any application for reinstatement of her license in the absence of a demonstration of a protracted period of recovery.

Respondent appeared before the Board on July 12, 2006 accompanied by Louis E. Baxter, Sr., M.D., F.A.S.A.M., Executive Medical Director of the Professional Assistance Program. Respondent demonstrated that she has now complied with the Board's directives and has sixteen months of ongoing recovery as shown by negative urine screens. She has been under the care of John Verdon, M.D., for treatment and has complied with directives for attendance at AA/NA. The Board, therefore finds, that her return to practice under the conditions imposed by this order is consistent with the public health, safety, and welfare.

THEREFORE, IT IS ON THIS 25<sup>th</sup> DAY OF OCTOBER, 2006  
ORDERED THAT:

1. The license of Stacy Cupola, R.D.H., to practice dental hygiene is reinstated subject to the terms of this order.
2. Pending further order of the Board, respondent shall continue her participation with the Professional Assistance Program and shall comply with the recommendations for treatment, including but not limited to monthly face-to-face contact with representatives from that program, attendance at support groups, including NA or AA at a minimum of three times per week, urine monitoring not less than once a week, and continued therapy with her psychiatrist. If respondent discontinues participation with the Professional Assistance Program or fails to comply with the conditions imposed by the program or outlined in this consent order without obtaining approval of the Board and the Professional Assistance Program, she shall be deemed in violation of this Order.

3. Respondent shall abstain from the use of all psychoactive substances, unless prescribed by a treating physician for a documented medical condition with prior notification to the Executive Medical Director of the Professional Assistance Program of the diagnosis and prescribed medications.

In addition, respondent shall advise any and all treating physicians and/or dentists of her history of substance abuse.

4. The Professional Assistance Program shall submit quarterly reports, including urine results, to the Board regarding respondent's participation and compliance with all requirements of the PAP and this order. If respondent

has a positive urine, misses an appointment without consent, or has a lapse or slip in her recovery, or if respondent terminates treatment with her psychiatrist or her participation with the PAP, the PAP shall immediately inform the Board. For purposes of this paragraph, "immediately" shall mean reporting the information orally within 24 hours and following up with a written report within 48 hours.

5. (a) Any failure by respondent to submit or provide a urine sample within twenty-four (24) hours of a request will be deemed to be equivalent to a confirmed positive urine test. In the event respondent is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from the Professional Assistance Program. Respondent shall notify the Professional Assistance Program if she will be out of the State for any reason, so that the program may make a determination regarding alternate testing.

(b) Any urine test result showing creatinine levels below 20 mg/dL and a specific gravity below 1.003 shall create a rebuttable presumption of a confirmed positive urine test. Any such result shall be followed immediately by a confirming GC/MS test.

(c) Respondent shall familiarize herself with all foods, food additives or other products (such as poppy seeds) which may affect the validity of urine screens, be presumed to possess that knowledge, and shall refrain from the use of such substances. Ingestion of such substances shall not be an acceptable reason for a positive urine screen and/or failure to comply with the urine monitoring program.

(d) The Professional Assistance Program may, after notifying the Board, modify the frequency of testing or method of testing during the monitoring period.

6. Respondent shall provide any and all releases to any and all parties who are participating in a monitoring, treatment, or other program as outlined in this order, as may be required in order that all reports, records, and other pertinent information may be provided to the Board in a timely manner. Respondent agrees that any information received by the Board regarding respondent's treatment or participation in a monitoring program may be used in connection with any proceedings pertaining to her license.

7. (a) Ms. Cupolo shall notify the Board of the name and address of the licensee by whom she will be employed and shall provide a copy of this order and any further orders of the Board related to her to that licensee.

(b.) Ms. Cupolo shall provide to the Board a signed statement by the licensee indicating that he or she is aware of the restrictions on Ms. Cupolo and that he or she agrees to report any use or suspicion of use of a controlled dangerous substance by Ms. Cupolo to the Board of Dentistry immediately but in no event more than twenty-four (24) hours following the conduct.

8(a.) Ms. Cupolo shall be subject to an order of automatic suspension of her license upon the Board's receipt of any information which the Board, in its sole

discretion, deems reliable demonstrating that respondent has failed to comply with any of the conditions set forth in this consent order, including but not limited to report of a confirmed positive urine, or a prima facie showing of use of alcohol or drugs.

(b.) Ms. Cupolo shall have a right to apply for removal of the automatic suspension on ten (10) days notice to the Board and to the Attorney General. The Board may hold a hearing on that application before the full Board or before a committee of the Board. In the event a committee hears the application, its action shall be effective immediately and subject to ratification of the full Board at its next scheduled meeting. In a hearing seeking removal of the automatic suspension, any confirmed positive urine shall be presumed valid.


9. Nothing in this order shall be deemed to preclude the Board from taking any action it deems appropriate should the Board's review of information cause it to determine that such action is warranted or from imposing restrictions or conditions on

respondent's license should the Board determine that such restrictions or conditions are appropriate to protect the public health, safety, and welfare.

DENTISTRY

NEW JERSEY STATE BOARD OF

By:

  
Peter L. DeSciscio, D.M.D.  
President

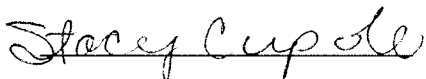
I have read and I understand the terms of this order and agree to be bound by it. I consent to the entry of this Order.

  
Stacy J. Cupolo

10/14/06

Date

I have read the terms of this order and agree on behalf of the Professional Assistance Program to comply with its terms pertaining to the PAP.





Louis E. Baxter, Sr., M.D.  
Executive Medical Director  
Professional Assistance Program

10/17/06  
Date